



General Assembly

January Session, 2003

Amendment

LCO No. 6275

HB0510006275HR0

Offered by:

REP. WITKOS, 17th Dist.

To: Subst. House Bill No. 5100

File No. 649

Cal. No. 180

"AN ACT CONCERNING THE MEDICAL USE OF MARIJUANA."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 21a-267 of the general statutes is repealed and
4 the following is substituted in lieu thereof (*Effective October 1, 2003*):

5 (a) No person shall use or possess with intent to use drug
6 paraphernalia, as defined in subdivision (20) of section 21a-240, to
7 plant, propagate, cultivate, grow, harvest, manufacture, compound,
8 convert, produce, process, prepare, test, analyze, pack, repack, store,
9 contain or conceal, or to inject, ingest, inhale or otherwise introduce
10 into the human body, any controlled substance as defined in
11 subdivision (9) of section 21a-240. Any person who violates any
12 provision of this subsection shall [be guilty of a class C misdemeanor]
13 have committed an infraction.

14 (b) No person shall deliver, possess with intent to deliver or
15 manufacture with intent to deliver drug paraphernalia knowing, or

16 under circumstances where one reasonably should know, that it will
17 be used to plant, propagate, cultivate, grow, harvest, manufacture,
18 compound, convert, produce, process, prepare, test, analyze, pack,
19 repack, store, contain or conceal, or to inject, ingest, inhale or otherwise
20 introduce into the human body, any controlled substance. Any person
21 who violates any provision of this subsection shall be guilty of a class
22 A misdemeanor.

23 (c) Any person who violates subsection [(a) or] (b) of this section in
24 or on, or within one thousand five hundred feet of, the real property
25 comprising a public or private elementary or secondary school and
26 who is not enrolled as a student in such school shall be imprisoned for
27 a term of one year which shall not be suspended and shall be in
28 addition and consecutive to any term of imprisonment imposed for
29 violation of subsection [(a) or] (b) of this section.

30 Sec. 2. Subsection (c) of section 21a-279 of the general statutes is
31 repealed and the following is substituted in lieu thereof (*Effective*
32 *October 1, 2003*):

33 (c) Any person who possesses or has under [his] such person's
34 control any quantity of any controlled substance other than a narcotic
35 substance, or a hallucinogenic substance other than marijuana, [or who
36 possesses or has under his control less than four ounces of a cannabis-
37 type substance,] except as authorized in this chapter, for a first offense,
38 may be fined not more than one thousand dollars or be imprisoned not
39 more than one year, or be both fined and imprisoned; and for a
40 subsequent offense, may be fined not more than three thousand dollars
41 or be imprisoned not more than five years, or be both fined and
42 imprisoned.

43 Sec. 3. (NEW) (*Effective October 1, 2003*) Any person who possesses
44 or has under such person's control less than four ounces of a cannabis-
45 type substance, except as authorized in chapter 420b of the general
46 statutes, shall have committed an infraction."

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>